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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/399,492 09/20/99 BAZAN

J DX0903K

HM22/0417

EXAMINER

DRAFER, G

ART UNIT	PAPER NUMBER
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1646

DATE MAILED:

04/17/00

EDWIN P CHING
DNAX RESEARCH INSTITUTE
901 CALIFORNIA AVENUE
PALO ALTO CA 94304-1104

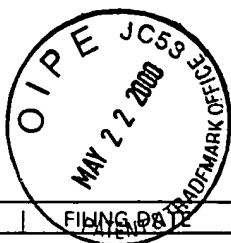
WORKING COPY

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

*NTC,
Response due
5-17-00*

09/399,492

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: Commissioner of Patents and Trademarks
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER NUMBER

7

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, it fails to comply with the requirements of 37 CFR §§ 1.821-1.825 as set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

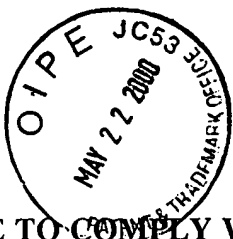
APPLICANT IS GIVEN **ONE MONTH** FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR §§ 1.821-1.825.

Failure to comply with these rules will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication should be directed to the undersigned at telephone number (703) 308-3934 or fax number (703) 308-0294. Inquiries of a general nature or relating to the status of the application should be directed to the Technology Center 1600 receptionists at (703) 308-0196.

DAVID L. FITZGERALD
PRIMARY EXAMINER
ART UNIT 1646

14 April 2000



Application Serial No. 09/399,492

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. §§ 1.821-1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990, and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. § 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. § 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. §§ 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing".
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. § 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. § 1.821(e).
- ☐ 7. Other:

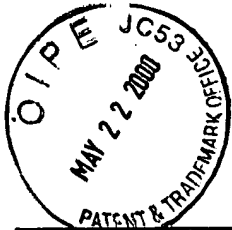
Applicant must provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. § 1.821(e) or § 1.821(f) or § 1.821(g) or § 1.825(b) or § 1.825(d).

For questions regarding compliance with these requirements, please contact one of the following:

For rules interpretation, call (703) 308-4216.
For CRF submission help, call (703) 308-4212.
For PatentIn software help, call (703) 557-0400.

Please return a copy of this notice with your response.



Raw Sequence Listing Error Summary

ERROR DETECTED SUGGESTED CORRECTION

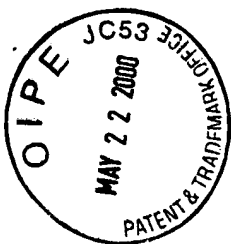
SERIAL NUMBER:

09/399,492

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 ☐ **Wrapped Nucleics** The number/text at the end of each line "wrapped" down to the next line.
This may occur if your file was retrieved in a word processor after creating it.
Please adjust your right margin to .3, as this will prevent "wrapping".
- 2 ☐ **Wrapped Aminos** The amino acid number/text at the end of each line "wrapped" down to the next line.
This may occur if your file was retrieved in a word processor after creating it.
Please adjust your right margin to .3, as this will prevent "wrapping".
- 3 ☐ **Incorrect Line Length** The rules require that a line not exceed 72 characters in length. This includes spaces.
- 4 ☐ **Misaligned Amino Acid Numbering** The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs between the numbering. It is recommended to delete any tabs and use spacing between the numbers.
- 5 ☐ **Non-ASCII** This file was not saved in ASCII (DOS) text, as required by the Sequence Rules.
Please ensure your subsequent submission is saved in ASCII text so that it can be processed.
- 6 ☐ **Variable Length** Sequence(s) ☐ contain n's or Xaa's which represented more than one residue.
As per the rules, each n or Xaa can only represent a single residue.
Please present the maximum number of each residue having variable length and indicate in the (ix) feature section that some may be missing.
- 7 ☐ **PatentIn ver. 2.0 "bug"** A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequence(s) ☐. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence.
- 8 ☐ **Skipped Sequences (OLD RULES)** Sequence(s) ☐ missing. If intentional, please use the following format for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X:
(I) SEQUENCE CHARACTERISTICS:(Do not insert any headings under "SEQUENCE CHARACTERISTICS")
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X:
This sequence is intentionally skipped

Please also adjust the "(iii) NUMBER OF SEQUENCES:" response to include the skipped sequence(s).
- 9 ☐ **Skipped Sequences (NEW RULES)** Sequence(s) ☐ missing. If intentional, please use the following format for each skipped sequence.
<210> sequence id number
<400> sequence id number
000
- 10 ☒ **Use of n's or Xaa's (NEW RULES)** Use of n's and/or Xaa's have been detected in the Sequence Listing.
Use of <220> to <223> is MANDATORY if n's or Xaa's are present.
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 11 ☐ **Use of <213>Organism (NEW RULES)** Sequence(s) ☐ are missing this mandatory field or its response.
- 12 ☐ **Use of <220>Feature (NEW RULES)** Sequence(s) ☐ are missing the <220>Feature and associated headings.
Use of <220> to <223> is MANDATORY if <213>ORGANISM is "Artificial" or "Unknown"
Please explain source of genetic material in <220> to <223> section.
(See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of new Rules)
- 13 ☐ **PatentIn ver. 2.0 "bug"** Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing).
Instead, please use "File Manager" or any other means to copy file to floppy disk.



OIPE

PAGE: 1

RAW SEQUENCE LISTING
PATENT APPLICATION US/09/399,492DATE: 10/05/1999
TIME: 10:44:46

Input Set: I399492.RAW

This Raw Listing contains the General Information
Section and up to first 5 pages.

1 <110> APPLICANT: Bazan, J. Fernando
2 <120> TITLE OF INVENTION: Mammalian Cytokines; Related Reagents and Methods
3 <130> FILE REFERENCE: DX0903K
4 <140> CURRENT APPLICATION NUMBER: US/09/399,492
5 <141> CURRENT FILING DATE: 1999-09-20
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15 <223> OTHER INFORMATION: nucleotide may be A, C, G, or T
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19 <220> FEATURE:
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26 cta tat gtt ctg tca gtt tct ttc agg aaa atc ttc atc tta caa ctt 100
27 Leu Tyr Val Leu Ser Val Ser Phe Arg Lys Ile Phe Ile Leu Gln Leu
28 -20 -15 -10
29 gta ggg ctg gtg tta act tac gac ttc act aac tgt gac ttt gag aag 148
30 Val Gly Leu Val Leu Thr Tyr Asp Phe Thr Asn Cys Asp Phe Glu Lys
31 -5 -1 1 5 10
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37 30 35 40
38 aat cgg cca cat tgc ctt act gaa atc cag agc cta acc ttc aat ccc 292
39 Asn Arg Pro His Cys Leu Thr Glu Ile Gln Ser Leu Thr Phe Asn Pro
40 45 50 55
41 aac cgc cgn gtg cgg tcg ctg gcc aaa gaa atg ttc gcc atg aaa act 340
42 Asn Arg Xaa Val Arg Ser Leu Ala Lys Glu Met Phe Ala Met Lys Thr
43 60 65 70
44 aag gct gcc tta gct atc tgg tgc cca ggc tat tcg gaa act cag ata 388

Does Not Comply
Corrected Diskette Needed

see
p. 2

W--OK

PAGE: 2

RAW SEQUENCE LISTING

PATENT APPLICATION US/09/399,492

 DATE: 10/05/1999
 TIME: 10:44:46

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 46 75 80 85 90
 47 aat gct act cag gca atg aag aag agg aga aaa agg aaa gtc aca acc 436
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 61 -15 -10 -5
 62 Thr Tyr Asp Phe Thr Asn Cys Asp Phe Glu Lys Ile Lys Ala Ala Tyr
 63 -1 1 5 10 15
 64 Leu Ser Thr Ile Ser Lys Asp Leu Ile Thr Tyr Met Ser Gly Thr Lys
 65 20 25 30
 66 Ser Thr Glu Phe Asn Asn Thr Val Ser Cys Ser Asn Arg Pro His Cys
 67 35 40 45
 68 Leu Thr Glu Ile Gln Ser Leu Thr Phe Asn Pro Asn Arg Xaa Val Arg
 69 50 55 60
 70 Ser Leu Ala Lys Glu Met Phe Ala Met Lys Thr Lys Ala Ala Leu Ala
 71 65 70 75
 72 Ile Trp Cys Pro Gly Tyr Ser Glu Thr Gln Ile Asn Ala Thr Gln Ala
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 92 atc ttc atc tta caa ctt gta ggg ctg gtg tta act tac gac ttc act 96
 93 Ile Phe Ile Leu Gln Leu Val Gly Leu Val Leu Thr Tyr Asp Phe Thr
 94 -10 -5 -1 1

see item 10
 on Enron
 summary
 sheet

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RAW SEQUENCE LISTING
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DATE: 10/05/1999

TIME: 10:44:46

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98      aaa gac ctg att aca tat atg agt ggg acc aaa agt acc gag ttc aac      192
99      Lys Asp Leu Ile Thr Tyr Met Ser Gly Thr Lys Ser Thr Glu Phe Asn
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101      aac acc gtc tct tgt agc aat cgg cca cat tgc ctt act gaa atc cag      240
102      Asn Thr Val Ser Cys Ser Asn Arg Pro His Cys Leu Thr Glu Ile Gln
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104      agc cta acc ttc aat ccc acc gcc ggc tgc gcg tcg ctc gcc aaa gaa      288
105      Ser Leu Thr Phe Asn Pro Thr Ala Gly Cys Ala Ser Leu Ala Lys Glu
106          55                      60                      65
107      atg ttc gcc atg aaa act aag gct gcc tta gct atc tgg tgc cca ggc      336
108      Met Phe Ala Met Lys Thr Lys Ala Ala Leu Ala Ile Trp Cys Pro Gly
109          70                      75                      80
110      tat tcg gaa act cag ata aat gct act cag gca atg aag aag agg aga      384
111      Tyr Ser Glu Thr Gln Ile Asn Ala Thr Gln Ala Met Lys Lys Arg Arg
112          85                      90                      95                      100
113      aaa agg aaa gtc aca acc aat aaa tgt ctg gaa caa gtg tca caa tta      432
114      Lys Arg Lys Val Thr Thr Asn Lys Cys Leu Glu Gln Val Ser Gln Leu
115          105                      110                      115
116      caa gga ttg tgg cgt cgc ttc aat cga cct tta ctg aaa caa cag taa      480
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128      Asn Cys Asp Phe Glu Lys Ile Lys Ala Ala Tyr Leu Ser Thr Ile Ser
129          5                      10                      15                      20
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131          25                      30                      35
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133          40                      45                      50
134      Ser Leu Thr Phe Asn Pro Thr Ala Gly Cys Ala Ser Leu Ala Lys Glu
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137          70                      75                      80
138      Tyr Ser Glu Thr Gln Ile Asn Ala Thr Gln Ala Met Lys Lys Arg Arg
139          85                      90                      95                      100
140      Lys Arg Lys Val Thr Thr Asn Lys Cys Leu Glu Gln Val Ser Gln Leu
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<210> SEQ ID NO 5

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 PATENT APPLICATION US/09/399,492

DATE: 10/05/1999
 TIME: 10:44:46

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153 Asp Gly Gly Ala Tyr Gln Asn Val Leu Met Val Ser Ile Asp Asp Leu
154 35 40 45
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157 Phe Phe Lys Lys His Ser Cys Asp Asp Asn Lys Glu Ala Ser Phe Leu
158 65 70 75 80
159 Asn Arg Ala Ala Arg Lys Leu Lys Gln Phe Leu Lys Met Asn Ile Ser
160 85 90 95
161 Asp Asp Phe Lys Leu His Leu Ser Thr Val Ser Gln Gly Thr Leu Thr
162 100 105 110
163 Leu Leu Asn Cys Thr Ser Lys Gly Lys Gly Arg Lys Pro Pro Ser Leu
164 115 120 125
165 Gly Glu Ala Gln Pro Thr Lys Asn Leu Glu Glu Asn Lys Ser Leu Lys
166 130 135 140
167 Glu Gln Arg Lys Gln Asn Asp Leu Cys Phe Leu Lys Ile Leu Leu Gln
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181 35 40 45
182 Asp Asn Met Ile Asn Phe Asp Ser Asn Cys Leu Asn Asn Glu Pro Asn
183 50 55 60
184 Phe Phe Lys Lys His Ser Cys Asp Asp Asn Lys Glu Ala Ser Phe Leu
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187 85 90 95
188 Asp Asp Phe Lys Leu His Leu Ser Thr Val Ser Gln Gly Thr Leu Thr
189 100 105 110
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RAW SEQUENCE LISTING
 PATENT APPLICATION US/09/399,492

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212          65          70          75          80
213      Leu Phe Arg Ala Ala Arg Lys Leu Arg Gln Phe Leu Lys Met Asn Ser
214                      85          90          95
215      Thr Gly Asp Phe Asp Leu His Leu Leu Lys Val Ser Glu Gly Thr Thr
216                      100          105          110
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218          115          120          125
219      Leu Gly Glu Ala Gln Pro Thr Lys Ser Leu Glu Glu Asn Lys Ser Leu
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238          50          55          60
239      Phe Phe Arg Lys His Val Cys Asp Asp Thr Lys Glu Ala Ala Phe Leu
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VERIFICATION SUMMARY
PATENT APPLICATION US/09/399,492DATE: 10/05/1999
TIME: 10:44:46

Input Set: I399492.RAW

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